

110TH CONGRESS
2D SESSION

H. R. 7219

To impose a moratorium on the implementation of a Medicaid regulation related to the outpatient clinic and hospital facility services definition and upper payment limit.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2008

Mr. MCHUGH (for himself, Mr. ARCURI, Mr. KUHLMANN of New York, Mr. WALSH of New York, Mrs. LOWEY, Mr. ALLEN, Mr. HINCHY, Mrs. GILLIBRAND, Mrs. MALONEY of New York, and Mr. TOWNS) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To impose a moratorium on the implementation of a Medicaid regulation related to the outpatient clinic and hospital facility services definition and upper payment limit.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Hospital
5 Outpatient and Community Clinic Services Act of 2008”.

1 **SEC. 2. MORATORIUM ON REGULATION RELATED TO OUT-**
2 **PATIENT CLINIC AND HOSPITAL FACILITY**
3 **SERVICES DEFINITION AND UPPER PAYMENT**
4 **LIMIT.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, the Secretary of Health and Human Services
7 shall not take, before April 1, 2009, any action (including
8 promulgation of regulation, issuance of regulatory guid-
9 ance, use of Federal payment audit procedures, or other
10 administrative action, policy, or practice, including a Med-
11 ical Assistance Manual transmittal or letter to State Med-
12 icaid directors) to impose any restrictions relating to the
13 provision described in subsection (b) if such restrictions
14 are more restrictive in any aspect than those that applied
15 to the subject matter of the provision as of September 27,
16 2007.

17 (b) PROPOSED REGULATION RELATING TO REDEFI-
18 NITION OF MEDICAID OUTPATIENT HOSPITAL SERV-
19 ICES.—The provision described in this subsection is the
20 proposed regulation relating to clarification of outpatient
21 clinic and hospital facility services definition and upper
22 payment limit under the Medicaid program published on
23 September 28, 2007 (72 Federal Register 55158) in its
24 entirety.

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